

REMARKS

Reconsideration of the present application is respectfully requested. No claims have been amended, canceled or added.

Claims 1, 6, 7, 9-15, 17-33 and 44 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent no. 6,651,085 of Woods ("Woods"). Claims 8, 16, 37 and 41 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Woods.

Applicants respectfully traverse the rejections. Applicants respectfully submit that the rejections are clearly in error.

In Applicants' last response, filed on 10/23/2006, Applicants argued three separate points, which are repeated below. However, in the Final Office Action, the Examiner lumps those three points together into one gross misstatement of Applicants' arguments. Specifically, the Examiner states, "*Applicant argues that the agents 58, 60, 62 and 64 are cannot [sic] be interpreted as agents* since the agents in these embodiments are not part of the apparatus *since the agent is a customer.*" Final Office Action, p. 10 (emphasis added).

That is *not* what Applicants argued. Applicants did *not* argue that "the agents 58, 60, 62 and 64 cannot be interpreted as agents," nor did Applicants suggest that "the agent is a customer," as the Examiner contends. Applicants made three distinct points, none of which are correctly represented in, or rebutted by, in the Examiner's response. Applicants request that the Examiner reconsider those three points, which for the

Examiner's convenience, are repeated below, along with additional comments that address the Final Office Action.

Claim 1, as amended, recites:

1. (Currently amended) A computer-implemented apparatus for use by a plurality of users using a plurality of user devices, the apparatus comprising a plurality of agents of a plurality of different types to communicate with each other, at least some of the agents representing physical entities, the plurality of agents including:
 a plurality of device agents, each representing one of the plurality of user devices; and
 a plurality of persona agents, *which are separate entities from the device agents*, each of the persona agents representing one of the plurality of users;
 wherein the plurality of *persona* agents collect information about properties of other agents, including the device agents, *and route the collected information to one or more other agents, of the plurality of agents, which subscribe to the properties.* (Emphasis added.)

Independent claim 33 includes similar limitations.

Woods relates to a system that enables a computer user to view the status of one or more customer service agents. Note that in Woods, an "agent" is a *human being* (see col. 1, line 10-17; col. 3, lines 22-24; col. 5, lines 36-45), in contrast with the present invention in which an "agent" is part of a computer-implemented apparatus (see, e.g., preamble of claims 1 and 33).

Woods does not disclose *any* of the elements of claim 1.

Point #1

Woods does not disclose “a plurality of device agents, each representing one of the plurality of user *devices*” (emphasis added). The Examiner cites Woods as allegedly disclosing this feature at col. 7, lines 21-39 (Office Action, p. 2). However, that is incorrect. That section in Woods is as follows:

FIG. 7, shows a subsystem 57 of the customer processing system 18. The customer processing subsystem 57 receives and processes the status of each agent at a customer processing center 14. The customer processing subsystem 57 can receive information from an agent entered status 58 entered at the individual agent station 20, agent telephone status 60, calendar/schedule of the agent 62, and an agent tracking device 64. The agent entered status 58 can be entered by the agent through the computer 22 or the telephone 24 of the agent.

There is clearly no disclosure or suggestion, in the above-quoted section or anywhere else in Woods, of “a plurality of device agents, each *representing* one of the plurality of user *devices*.” (emphasis added). Indeed, Woods does not disclose any type of *agent* that *represents* a *user device*. As noted above, the “agents” in Woods are human beings, not elements of a computer-implemented apparatus, nor does any agent in Woods *represent* a *user device*.

Applicants acknowledge the Examiner’s point in the Final Office Action that each of the agents has a software interface “since a human being is incapable of communicating over a network without the use of a software interface.” Final Office Action, p. 10. Applicants do not necessarily disagree with that particular assertion. However, it is not clear whether the Examiner considers such software interface(s) to read on the “device agents” recited in claim 1 or the “persona agents” recited in claim 1. If the Examiner considers such software interface(s) to read on the “device agents”

recited in claim 1, then they cannot also read on the persona agents, due to the claim limitation, "*which are separate entities from the device agents*". Likewise, if the Examiner considers such software interface(s) to read on the "persona agents" recited in claim 1, then they cannot also read on the device agents, due to that same limitation. Note that Applicants *do* not concede that the aforementioned "software interface(s)" allegedly disclosed in Woods (assuming *arguendo* they exist) read on *either* the "device agents" or the "persona agents" in claim 1.

Therefore, Woods does not disclose "a plurality of device agents, each *representing* one of the plurality of user devices." (emphasis added). For at least this reason, therefore, claim 1 is not anticipated by Woods, nor does Woods render the invention of claim 1 obvious.

Point #2

Woods also does not disclose "a plurality of persona agents, *which are separate entities from the device agents*, each of the persona agents representing one of the plurality of users" (emphasis added). The Examiner also cites Woods at col. 7, lines 21-39 (quoted above) as allegedly disclosing this feature. Again, the Examiner is mistaken. There is not even a remote suggestion, in the cited section or elsewhere in Woods, of any type of agent that is part of a computer-implemented apparatus *and* which *represents a user and* which is a *separate entity* from a plurality of device agents. For this additional reason, therefore, claim 1 is not anticipated by Woods, nor does Woods render the invention of claim 1 obvious.

Thus far the Examiner has made no attempt to specifically identify *exactly which element(s)* in Woods are read on the “device agents” recited in claim 1 and *exactly which element(s)* in Woods are read on the “persona agents” recited in claim 1. Applicants request that the Examiner do so, if the rejection is to be maintained. Applicants respectfully submit that the rejection cannot reasonably be maintained without such an explanation. MPEP § 706.02(j): “It is important for an examiner to properly communicate the basis for a rejection so that the issues can be identified early and the applicant can be given a fair opportunity to reply.”

Point #3

Furthermore, even assuming *arguendo* Woods discloses device agents and persona agents as recited in claim 1, Woods still does not disclose or suggest that “the plurality of *persona* agents collect information about properties of other agents, including the device agents, and route the collected information to one or more other agents, of the plurality of agents, which subscribe to the properties” (emphasis added). The Examiner cites Woods as allegedly disclosing this functionality at col. 5, line 50 – col. 6, line 15 and col. 3, lines 22-37. That is incorrect. Woods discloses, *inter alia*, the ability to display a status report, which indicates the status of one or more agents. However, there is no disclosure, hint or suggestion, in the cited section or elsewhere in Woods, of an *agent* that collects information *about properties of other agents* and *routes the collected information to one or more other agents*. For this additional reason, therefore, claim 1 is not anticipated by Woods, nor does Woods render the invention of claim 1 obvious.

Thus, Woods fails to disclose or suggest *any* of the elements of independent claim 1 or independent claim 33. Therefore, independent claims 1 and 33, and all claims which depend on them, are patentable over the cited art.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

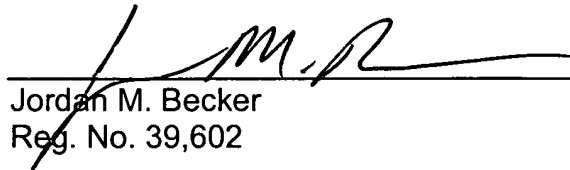
For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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